

Notice of Allowability

Application No.

10/536,602

Examiner

Thong Q. Nguyen

Applicant(s)

SANDER, ULRICH

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of 1/7/07 and Interview on 1/23/07.
2. ☒ The allowed claim(s) is/are 12-14, 16, 18-19 and 21-25 which are renumbered as claims 1-11.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 1/23/07
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

THONG NGUYEN
PRIMARY EXAMINER

DETAILED ACTION

Response to Amendment

1. The present Office action is made in response to the amendment filed on 1/7/07. It is noted that in the amendment, applicant has made changes to the specification, the drawings and the claims. Regarding to the claims, applicant has amended claims 12, 16, 18, 19, 21, 23 and 25 and canceled claims 15, 17 and 20. There is not any claim being added. The pending claims 12-14, 16, 18-19, and 21-25 are examined in this Office action. Note that claims 1-11 were canceled in the amendment of 5/26/05.

Drawings

2. The drawings contained four sheets of figures 1-6, 7A, 7B, 7C and 7D were received on 1/7/07. These drawings are approved by the examiner.

Specification

3. The substitute specification filed on 1/7/07 has been received and entered.

EXAMINER'S AMENDMENT

4. Authorization for this examiner's amendment was given in a telephone interview with George L. Snyder, Jr. on 1/23/07.

The application has been amended as follows:

In claim 12: on line 9: changed "direction" to --direction;--. In other words, a semicolon has been added after the term "direction" appeared on line 9 of the claim.

Allowable Subject Matter

5. Claims 12-14, 16, 18-19, and 21-25 are allowable over the prior art.
6. The following is an examiner's statement of reasons for allowance:

Art Unit: 2872

a) Claim 12 and its dependent claims 13-14, 16, 18 and 23-25 are allowable with respect to the cited art, in particular, the EP reference No. 1,120,676 and the U.S. Patent Nos. 3,458,244; 3,459,464; and 6,097,538 by the limitations related to the structure of the reflecting elements and their arrangement for reflecting light from the zoom system to the viewing tube. While the use of two reflecting elements arranged into one piece and their reflecting surfaces facing opposite to each other is disclosed in each of the US Patent No. 3,458,244 (see prism elements (20, 21)) and Patent No. 3,459,464 (see mirror 12); however, the cited art does not disclose a set of three reflectors wherein the first reflector located after a zoom system for reflecting light passing through the zoom system in a direction deviating from the light direction from an object by more than 135 degrees; a second reflector for reflecting light from the first reflector to a viewing tube; and a third reflector disposed before the zoom system for reflecting light from the object to the zoom system wherein the zoom system is arranged along an axis substantially perpendicular to the light direction from the object and the second and third reflector are rotatable in such a way that the light from the object is selectively guided into the viewing tube without go through the zoom system.

b) Claim 19 is allowable with respect to the cited art, in particular, the EP reference No. 1,120,676 and the U.S. Patent Nos. 3,458,244; 3,459,464; and 6,097,538 by the limitations related to the structure of the reflecting elements and their arrangement for reflecting light from the zoom system to the viewing tube.

While the use of two reflecting elements arranged into one piece and their reflecting surfaces facing opposite to each other is disclosed in each of the US Patent No. 3,458,244 (see prism elements (20, 21)) and Patent No. 3,459,464 (see mirror 12); however, the cited art does not disclose a set of three reflectors wherein the first reflector located after a zoom system for reflecting light passing through the zoom system in a direction deviating from the light direction from an object by more than 135 degrees; a second reflector for reflecting light from the first reflector to a viewing tube; and a third reflector disposed before the zoom system for reflecting light from the object to the zoom system wherein the zoom system is arranged along an axis substantially perpendicular to the light direction from the object and the rear surfaces of the second and third reflectors are joined to one another.

c) Claims 21 and its dependent claim 22 are allowable with respect to the cited art, in particular, the EP reference No. 1,120,676 and the U.S. Patent Nos. 3,458,244; 3,459,464; and 6,097,538 by the limitations related to the structure of the reflecting elements and their arrangement for reflecting light from the zoom system to the viewing tube. While the use of two reflecting elements arranged into one piece and their reflecting surfaces facing opposite to each other is disclosed in each of the US Patent No. 3,458,244 (see prism elements (20, 21)) and patent No. 3,459,464 (see mirror 12); however, the cited art does not disclose a set of three reflectors wherein the first reflector located after a zoom system for reflecting light passing through the zoom system in a direction

deviating from the light direction from an object by more than 135 degrees; a second reflector for reflecting light from the first reflector to a viewing tube; and a third reflector disposed before the zoom system for reflecting light from the object to the zoom system wherein the zoom system is arranged along an axis substantially perpendicular to the light direction from the object and a mirror layer that reflects light from the front and rear surfaces thereof is arranged between and shared by the second and third reflectors.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

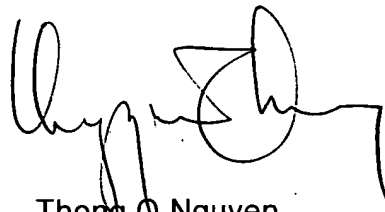
Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thong Q. Nguyen whose telephone number is (571) 272-2316. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone B. Allen can be reached on (571) 272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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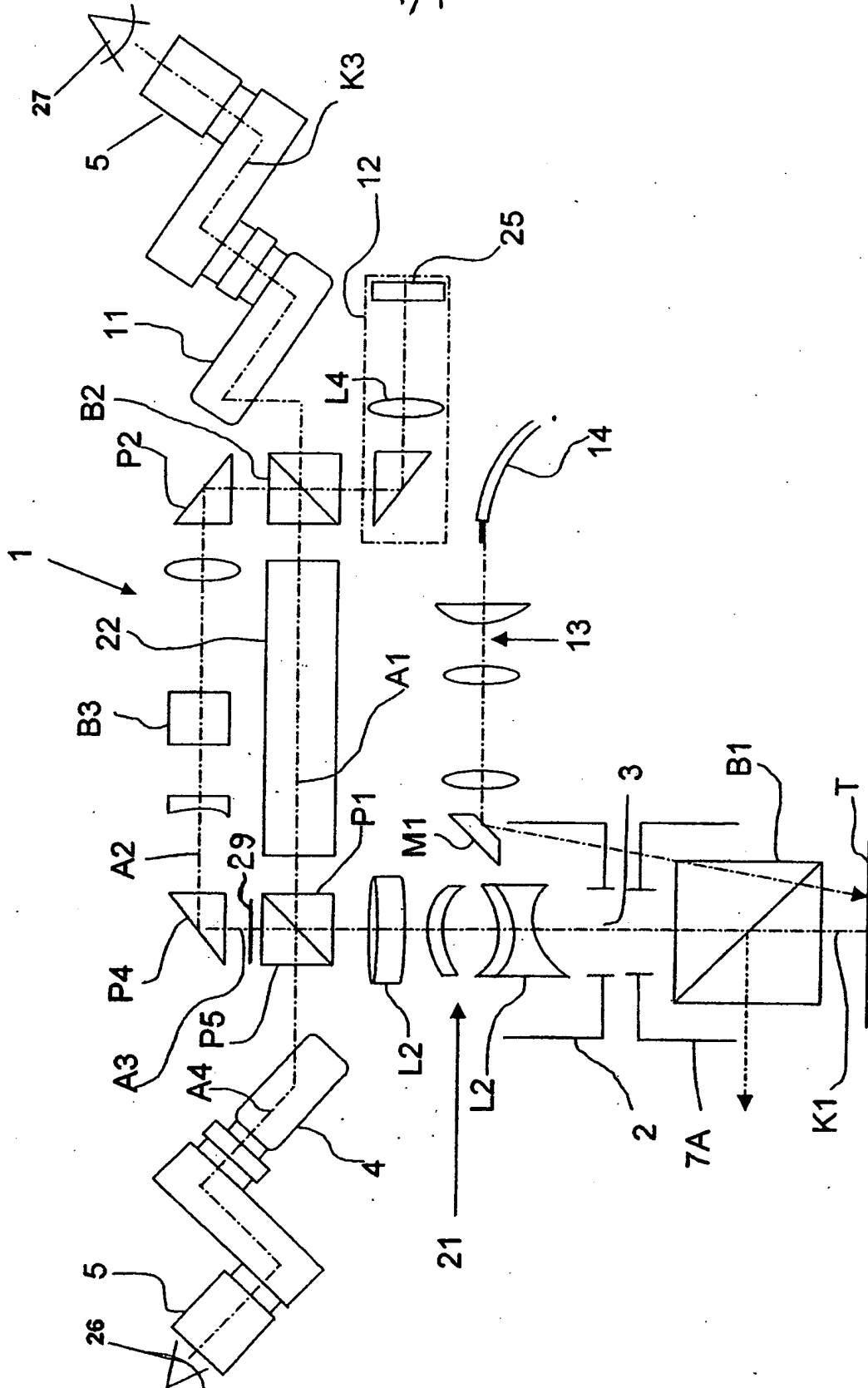
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Thong Q. Nguyen', with a stylized flourish at the end.

Thong Q. Nguyen
Primary Examiner
Art Unit 2872

1/4

FIG. 1



Entry approved
12/23/09

2/4

Entry approved
1/23/20

FIG. 3

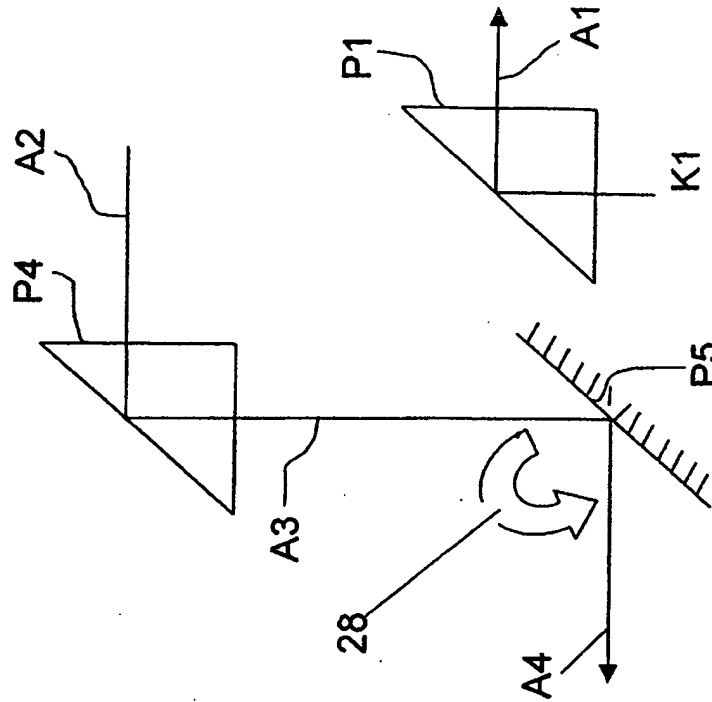
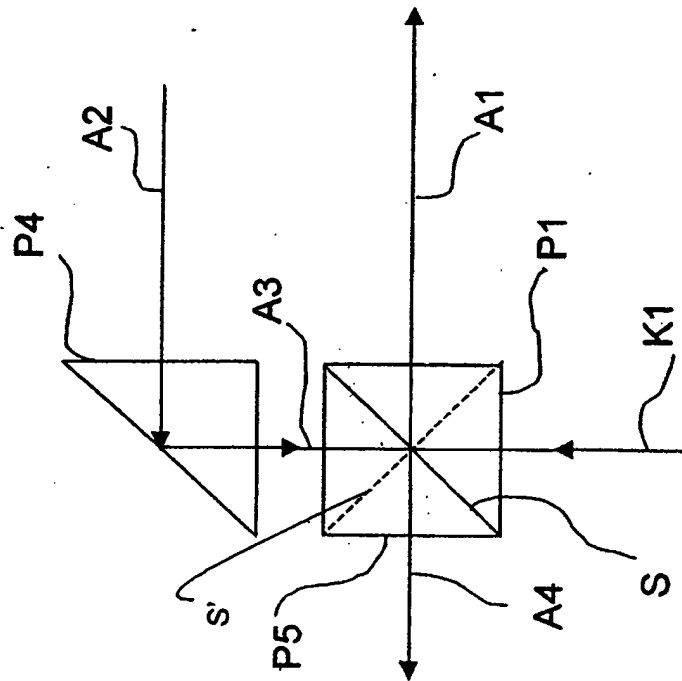


FIG. 2



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FIG. 4

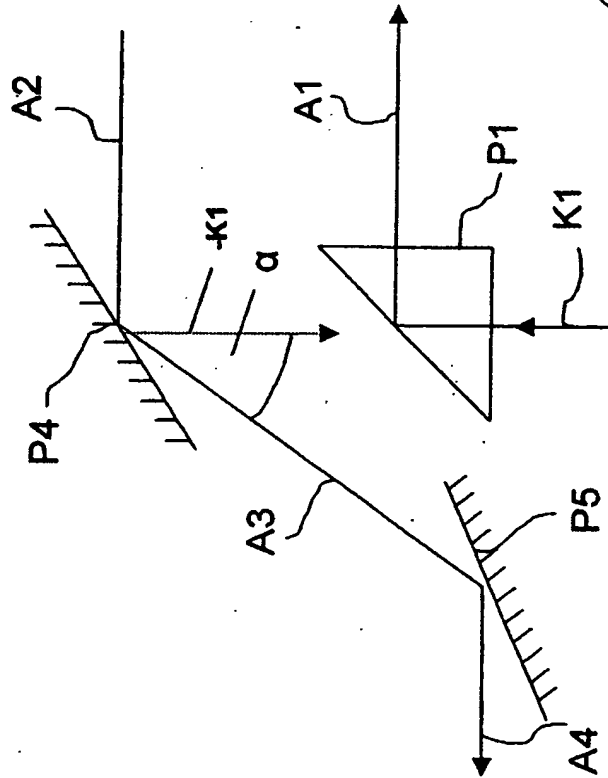


FIG. 5

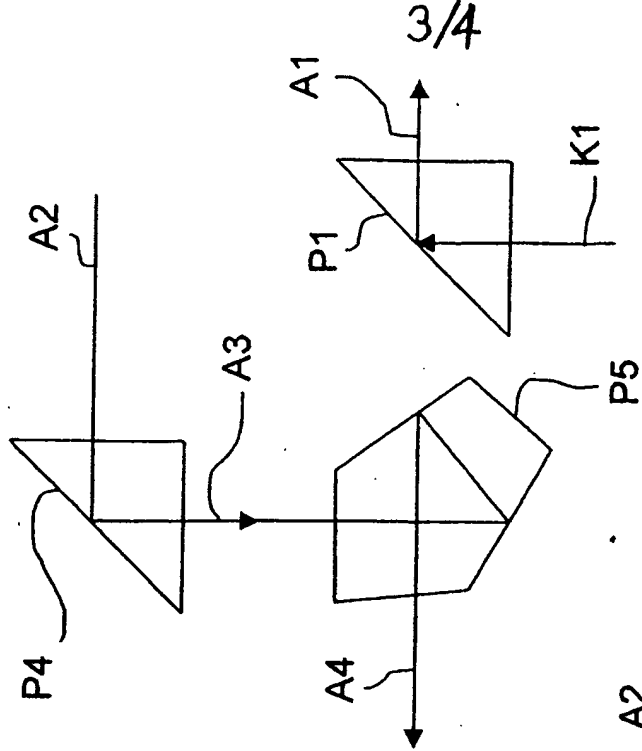
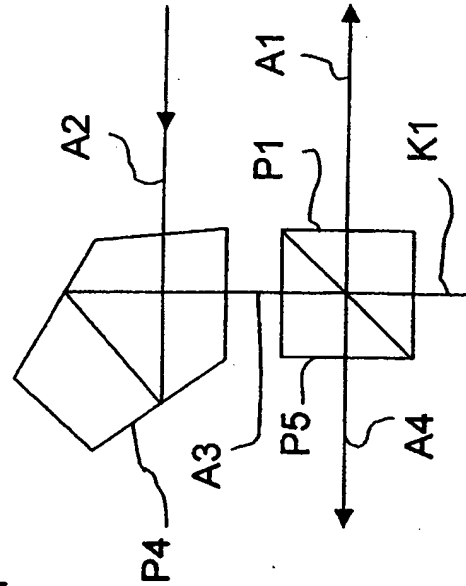


FIG. 6



*Erby
1/27/22*

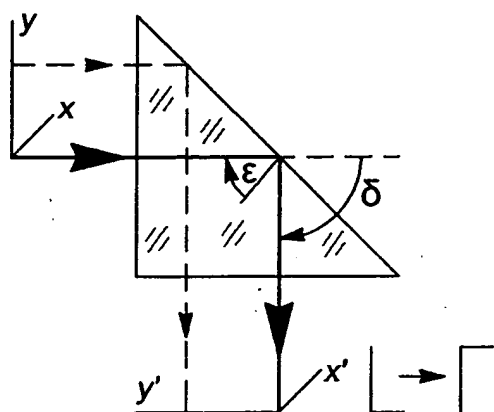


Fig. 7A

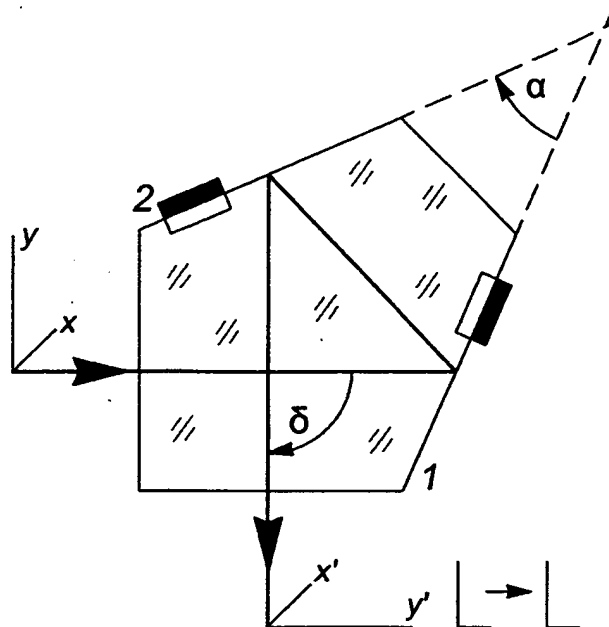


Fig. 7B

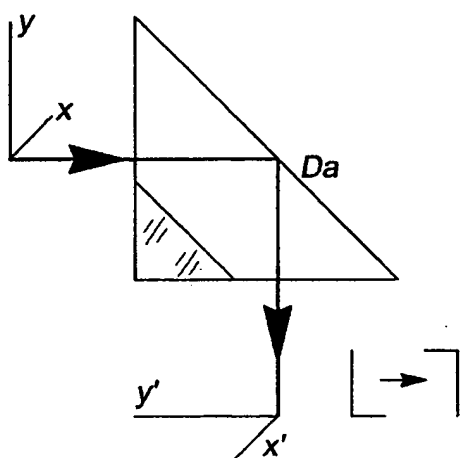


Fig. 7C

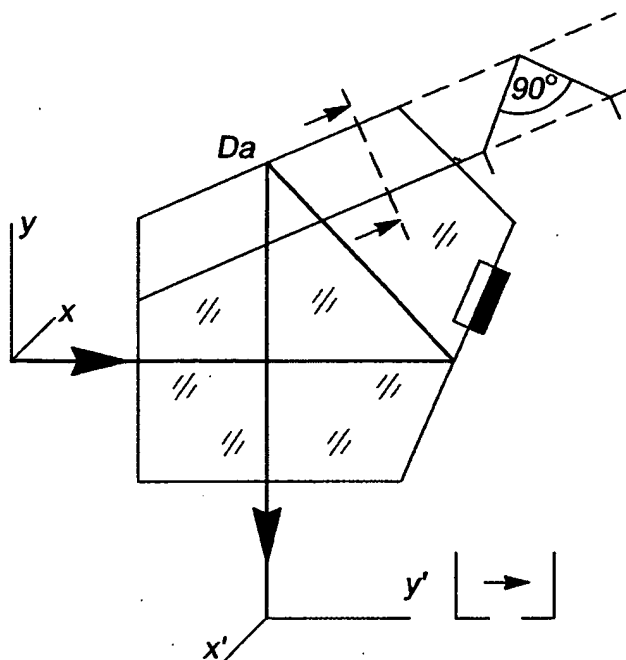


Fig. 7D